

Select originating cluster

James Toews

Authorized Signature

Number: SPD-IM-04-113

Issue Date: 12/20/2004

Topic: Other

Subject: Annual Notification of Residential Standards

Applies to (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Children, Adults and Families | <input checked="" type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers | <input type="checkbox"/> Other (please specify): |

Message:

Please see the attached letter regarding Annual Notification of Residential Standards Information.

If you have any questions about this information, contact:

Contact(s):			
Phone:		Fax:	

E-mail:	
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December 17, 2004

Gareth Dence
Social Security Administration
Office of Income Security Programs
Keys Section
Cubicle #110 RRCC
6401 Security Boulevard
Baltimore, Maryland 21235

Dear Mr. Dence:

As required by Section 1616(e) of the Social Security Act (the Keys Amendment), the State of Oregon assures the Commissioner of Social Security that it is in full compliance with the provisions of this subsection of the Act for Federal Fiscal Year 2005.

We have attached a summary of all applicable rules as of December 2004 and will be posting copies of this summary around the state during the month of January 2005. Oregon updated the following administrative rules during the past year:

- "Residential Care Facilities" (OAR 411-055-0000 through 411-055-0280), effective August 1, 2004;
- "Assisted Living Facilities" (OAR 411-056-000 through 411-056-0095), effective August 1, 2004;
- "24-Hour Residential Services for Children and Adults with Developmental Disabilities" (OAR 411-325-0010 through 411-325-0480), effective August 1, 2004;
- "Criminal History Check Rules" (OAR 410-007-0200 through 410-007-0380, effective November 4, 2004; and
- "Abuse Reporting and Protective Services in Community Programs and Community Facilities" (OAR 410-009-0050 through 410-009-0160), effective December 1, 2004.

We are also including the following additional rules for your file:

- "Standards for Outpatient and Residential Alcohol and Drug Treatment Programs" (OAR 415-051-0000 through 415-051-0155), effective September 1, 2002.

If you have any questions about these assurances or the attached rules, please contact Don Fries at Seniors and People With Disabilities (503-945-6455).

Sincerely,

Gary K. Weeks
Director

Attachments

cc: James Toews, Assistant Director, SPD
Barry S. Kast, Assistant Director, HS

Administrative Rules Related to Keys Amendment Assurances - State of Oregon - December 2004

Seniors and People with Disabilities (SPD)

Following is a list of SPD and related DHS rules that provide standards for facilities where a significant number of supplemental Social Security Income (SSI) recipients are likely to reside. These standards, and those for Health Services, span building maintenance, fire safety, sanitation, food, health, program and care services, staffing, residents' rights and administrative management. The facilities are routinely inspected to determine substantial compliance with federal and state laws and licensure rules.

Adult Foster Homes – Adult Foster Homes - Chapter 411, Division 050 (last amended 1/1/2002) The purpose of these rules is to establish standards and procedures for adult foster homes that house five or fewer residents in a home-like environment that is safe and secure.

Residential Care Facilities – Chapter 411, Division 055 (last amended 8/1/2004) – Houses six or more residents over the age of 18. These rules establish standards for residential care. The standards promote the availability of a wide range of appropriate services for elderly and disabled persons in a shared, homelike environment designed to enhance the dignity, independence, individuality, and decision making ability of the resident in a safe and secure environment. Resident needs are addressed in a manner that supports and enables the individual to maximize abilities to function at the highest level possible.

Assisted Living Facilities – Chapter 411, Division 056 (last amended 8/1/2004) – Houses one resident per unit. These rules establish standards for assisted living facilities that promote the availability of appropriate services for elderly and disabled persons in a home-like environment which enhances the dignity, independence, individuality, privacy, choice and decision making ability of the resident.

24-Hour Residential Services for Individuals with Developmental Disabilities – Chapter 411, Division 325, 0010-0480 (last amended 8/1/2004). These rules prescribe standards, responsibilities, and procedures for 24-Hour Residential Programs providing services to individuals with developmental disabilities. The rules also prescribe the standards and procedures by which the Department of Human Services licenses programs to provide residential care and training to individuals with developmental disabilities.

Criminal History Check Rules – Chapter 410, Division 007, 00200-0380 (last amended 11/4/2004). These rules prescribe screening of individuals to determine whether they may be allowed to oversee, live or work closely with, or provide services to vulnerable people.

Abuse Reporting and Protective Services in Community Programs and Community Facilities – Chapter 410, Division 009, 0050-0160 (last amended 12/1/2004). These rules prescribe standards and procedures for the investigation, assessment for, and provision of protective services in community programs and community facilities, and the nature and content of the abuse investigation and protective services report.

Copies of complete rules may be obtained on the internet at the web site of the Office of the Secretary of State

<http://arcweb.sos.state.or.us/banners/rules.htm>; by writing to Lynda Dyer, Seniors and People with Disabilities, 500 Summer St., NE E10, Salem, OR 97301-1076; by calling (503) 945-6398; or sending an e-mail to Lynda.Dyer@state.or.us .

Health Services

Following is a list of Health Services and related DHS rules regarding standards for residential facilities where significant numbers of SSI recipients are likely to reside:

Standards for Enhanced Care Services – Chapter 309, Division 032, 0720-0830 (last amended 4/6/1995). These rules prescribe standards and procedures for the delivery of mental health services to eligible persons with severe mental illness residing in selected facilities licensed by SPD.

Residential Treatment Facilities for Adults with Mental or Emotional Disorders – Chapter 309, Division 035, 0100-0190 (last amended 6/1/1998). Houses six or more residents. These rules prescribe standards that Adult Residential Treatment Facilities (with six or more residents) licensed by Health Services must maintain in order to comply with federal and state laws. The rules prescribe criteria for the care, health, safety and protection of residents, including requirements for staffing, facility structures, food service and sanitation.

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Information Memorandum

Seniors and People with Disabilities

Date: December 17, 2004

To: Area Agency on Aging Directors
CHS/AAA Field Managers and Staff
SPD Managers and Staff

From: James Toews
Assistant Director, DHS

Subj: Annual Public Notification of Residential Standards Information

Section 1616(e) of the Social Security Act (the Keys Amendment) requires, in part, that States annually make available for public review a summary of standards (rules) developed for residential facilities. The facilities covered by this requirement provide both room and board and continuous protective oversight to SSI-eligible and other residents. Within the Department of Human Services, both the Health Services and Seniors and People With Disabilities programs have residential facilities providing these services.

I have attached a copy of the applicable rules summary for your files and to provide copies to the public as requested. I have also attached a letter addressed to the general public which contains a copy of the rules summary. To meet the requirements for public notification, **please post a copy of the attached letter and the rules summary in a public area through January 28, 2005.**

If you have questions, please call Lynda Dyer, of the Seniors and People With Disabilities Program, at (503) 945-6398.

Attachments

cc: Lynda Dyer, SPD
Don Fries, SPD
Marylee Fay, SPD

Cindy Hannum, SPD
Christina Hartman, HS

Administrative Rules Related to Keys Amendment Assurances

- State of Oregon -

December 2004

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Date: December 17, 2004

To: Members of the General Public

From: James Toews
Assistant Director

Subj: Annual Notification of Residential Standards Information

Section 1616(e) of the Social Security Act (the Keys Amendment) requires, in part, that States annually make available to the public:

- A summary of standards developed for residential facilities where significant numbers of Supplemental Security Income (SSI) recipients reside or are likely to reside; and
- A copy of such standards along with the enforcement procedures, a list of waivers of standards, and any violations.

The attached rule summaries describe the relevant rules available to the general public by request. If you would like to read the *full* version of particular rules, you can access the rules in two ways:

- 1) Go to Oregon's Internet web site at http://arcweb.sos.state.or.us/rules/number_index.html; or
- 2) Call, write, or E-mail the appropriate person, listed at the end of the enclosed summaries, for a hard copy. You may also request information about the administration of these rules through this person.

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- State of Oregon -

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